

**BEFORE THE
OIL CONSERVATION DIVISION
NEW MEXICO ENERGY, MINERALS AND
NATURAL RESOURCES DEPARTMENT**

**IN THE MATTER OF THE APPLICATION OF
BASS ENTERPRISES PRODUCTION
COMPANY, FOR COMPULSORY POOLING,
EDDY COUNTY, NEW MEXICO.**

CASE NO. 13541

AFFIDAVIT

STATE OF NEW MEXICO)
) ss.
COUNTY OF SANTA FE)

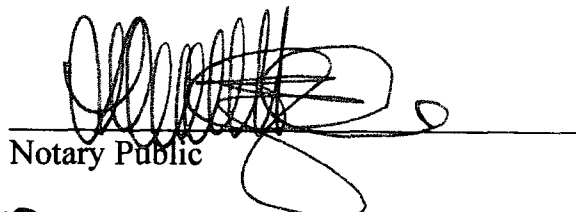
Ocean Munds-Dry, attorney in fact and authorized representative of Bass Enterprises Production Company, the Applicant herein, being first duly sworn, upon oath, states that notice of the above-referenced Application was mailed to the interested parties shown on Exhibit "A" attached hereto in accordance with Oil Conservation Division Rules, and that true and correct copies of the notice letter and proof of notice are attached hereto.


Ocean Munds-Dry

SUBSCRIBED AND SWORN to before this 16th day of August 2005 by Ocean Munds-Dry.



**OFFICIAL SEAL
LISAMARIE ORTIZ
NOTARY PUBLIC-STATE OF NEW MEXICO**
My commission expires 1/14/07


Notary Public

My Commission Expires: January 14, 2007

Affidavit of Publication

NO. 18968

STATE OF NEW MEXICO

County of Eddy:

Gary D. Scott being duly

sworn, says: That he is the Publisher of The
Artesia Daily Press, a daily newspaper of general
circulation, published in English at Artesia, said county
and county and state, and that the here to attached

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was published in a regular and entire issue of the said
Artesia Daily Press, a daily newspaper duly qualified
for that purpose within the meaning of Chapter 167 of
the 1937 Session Laws of the state of New Mexico for
1 consecutive week/days on the same

day as follows:

First Publication August 7 2005

Second Publication _____

Third Publication _____

Fourth Publication _____

Subscribed and sworn to before me this

9th Day August 2005

Brian R. Boers
Notary Public, Eddy County, New Mexico

My Commission expires September 23, 2007

**NOTICE OF
PUBLICATION
STATE OF NEW
MEXICO
ENERGY,**

Copy of Publication:

LEGAL NOTICE

**MINERALS AND
NATURAL RE-
SOURCE DE-
PARTMENT
OIL CONSERVA-
TION DIVISION
SANTA FE, NEW
MEXICO**

The State of New Mexico through its Oil Conservation Division hereby gives notice pursuant to law and the Rules and Regulations of the Division of the following public hearing to be held at 8:15 A.M. on August 25, 2005, in the Oil Conservation Division Hearing Room at 1220 South St. Francis, Santa Fe, New Mexico, before an examiner duly appoint for the hearing. If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing, please contact: Florene Davidson at 505-476-3458 or through the New Mexico Relay Network, 1-800-659-1779 by August 15, 2005. Public documents including the agenda and minutes, can be provided in various accessible forms. Please contact Florene Davidson if a summary or other type of acces-

LEGAL NOTICE

sible form is needed.
**STATE OF NEW
MEXICO TO:
All named parties
and persons
having any right,
title, interest
or claim in the
following cases
and notice to the
public.**

(NOTE: All land descriptions herein refer to the New Mexico Principal Meridian whether or not so stated.)
**CASE 13541:
In The Matter Of
The Application Of
Bass Enterprises
Production Company
For Compulsory
Pooling, Eddy
County, New Mexico.**
Applicant in the above-styled cause seeks an order pooling all mineral interests from the surface to the base of the Morrow formation in the N/2 of Section 32, Township 21 South, Range 28 East, NMPM, Eddy County, New Mexico, in order to form a standard 320-acre gas spacing and proration unit for all formations or pools spaced on 320 acres within this vertical extent, which presently include but are not necessarily limited to the Undesignated East Carlsbad-Wolfcamp, Undesignated East Carlsbad-Strawn, and the

LEGAL NOTICE

Undesignated East Carlsbad-Morrow Gas Pools. This spacing and proration unit is to be dedicated to the Big Eddy Unit Well No. 149 to be drilled at a standard location 1980 feet from the North line and 660 feet from the East line of Section 32 in order to test the Morrow formation. Also to be considered will the cost of drilling and completion of said well and the allocation of the cost thereof, the actual operating cost and charges for supervision, designation of applicant as operator of the well and charge for risk involved in drilling said well. Said area is located approximately miles east of Carlsbad New Mexico.
Given under the Seal of the State of New Mexico
O
Conservation Commission at Santa Fe, New Mexico on this 4th day of August 2005.

**STATE OF NEW
MEXICO
OIL CONSERVATION DIVISION
Mark E. Fesmire
P.E., Director**

Published in the Artesia Daily Press
Artesia, N.M. August 7, 2005.

Legal 1894



August 1, 2005

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

TO: AFFECTED INTEREST OWNERS

Re: Application of Bass Enterprises Production Company for compulsory pooling, Eddy County, New Mexico.

Ladies and Gentlemen:

This letter is to advise you that Bass Enterprises Production Company has filed the enclosed application with the New Mexico Oil Conservation Division seeking an order pooling all mineral interests from the surface to the base of the Morrow formation in certain spacing and proration units in the N/2 of Section 32, Township 21 South, Range 28 East, N.M.P.M., Eddy County, New Mexico. Said pooled units are to be dedicated to the Bass Enterprises Production Company's Big Eddy Unit Well No. 149 to be drilled at a standard well location 1980 feet from the North line and 660 feet from the East line to a depth sufficient to test the Morrow. The well will be at a standard location in all formations.

This application has been set for hearing before a Division Examiner on August 25, 2005. The hearing will be held in Porter Hall in the Oil Conservation Division's Santa Fe Offices located at 1220 South Saint Francis Drive, Santa Fe, New Mexico 87505. You are not required to attend this hearing, but as an owner of an interest that may be affected by this application, you may appear and present testimony. Failure to appear at that time and become a party of record will preclude you from challenging the matter at a later date.

Parties appearing in cases are required by Division Rule 1208.B to file a Pre-hearing Statement four days in advance of a scheduled hearing. This statement must be filed at the Division's Santa Fe office at the above specified address and should include: the names of the parties and their attorneys; a concise statement of the case; the names of all witnesses the party will call to testify at the hearing; the approximate time the party will need to present its case; and identification of any procedural matters that are to be resolved prior to the hearing.

Very truly yours,

Ocean Munds-Dry
ATTORNEY FOR BASS ENTERPRISES
PRODUCTION COMPANY